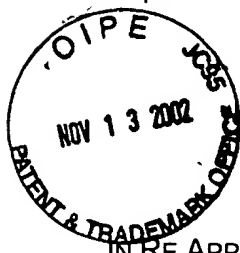


11-15-02

RCE/1600

Express Mail Label No. **EV 057 397 350 US**

Attorney Docket No. 59150-8008.US00



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ISHIKAWA *et al.*

APPLICATION No.: 09/555,704

FILED: JUNE 2, 2000

FOR: ENHANCED IMMUNOGEN FOR INACTIVATED VACCINE  
FOR INFECTION WITH JAPANESE ENCEPHALITIS  
VIRUSES AND PROCESS FOR PRODUCING THE SAME

EXAMINER: BROWN, STACY S.

ART UNIT: 1648

CONFIRMATION No.: 9123

TECH CENTER 1600/2900

NOV 20 2002

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## Request for Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application,  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Box: RCE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of  
the above-identified application.

**Note:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior  
to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA)  
under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term  
adjustment provisions of the AIPA. See changes to Application Examination and Provisional  
Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office  
47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted  
☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116  
previously filed  
(Any unentered amendment(s) referred to above will be entered.)  
☐ Consider the arguments in the Appeal Brief or Reply Brief  
previously filed on  
☐ Other

- b. ☒ Enclosed
- ☒ Amendment/Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement (IDS)
  - ☐ Other

2. Miscellaneous

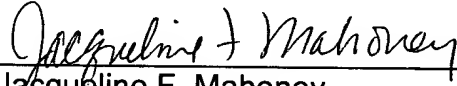
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months.  
*(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)*
- b. ☐ Other

3. Fees *The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.*

- a. ☒ RCE fee required under 37 C.F.R. §1.17(e) \$740
- ☐ Extension of time fee (37 C.F.R. §1.136 and §1.17)
- ☐ Other
- b. ☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-2207.

Respectfully submitted,  
Perkins Coie LLP

Date: November 13, 2002

  
\_\_\_\_\_  
Jacqueline F. Mahoney  
Registration No. 48,390

Correspondence Address:  
Customer No. 22918  
Phone: 650 838-4410

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date:

11/3/00

By:

Judy M. Mohr

Docket No. 9150-0008.10

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Ishikawa, et al.

EXAMINER: Unknown

SERIAL NO.: 09/555,704

ART UNIT: Unknown

FILED: June 1, 2000

FOR: EHHANCED IMMUNOGEN FOR INACTIVATED  
VACCINE FOR INFECTION WITH JAPANESE  
ENCEPHALITIS VIRUSES AND PROCESS  
FOR PRODUCING THE SAME

Response to Notification of a Defective Response

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

1. In response to the Notification of a Defective Response mailed October 4, 2000 (copy enclosed), applicant submits the following:

☒ An English Translation of International Application

2. Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. Fee Payment

☒ Enclosed is a check for \$130.00 in payment of the surcharge for an English Translation.

☒ Please charge any underpayment for timely filing of this Response to Deposit Account No. 04-0531.

Respectfully submitted,

11/08/2000 AGIZAW 00000093 09555704

01 FC:154

130.00 OP

Date:

11/3/00

Judy M.

Judy M. Mohr

Registration No. 38,563

Correspondence Address:

Customer No. 22918

07/55704

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

ISHIKAWA

U.S. APPLICATION NO. 022918 FIRST NAMED APPLICANT 5611 ATTY. DOCKET NO. 9150-0008.10

IOTA PI LAW GROUP  
350 CAMBRIDGE AVENUE SUITE 250  
P O BOX 60850  
PALO ALTO CA 94306-0850

INTERNATIONAL APPLICATION NO. PCT/JP99/0293

LA. FILING DATE 06/02/99 PRIORITY DATE 10/05/98

DATE MAILED: 10/04/00

# NOTIFICATION OF A DEFECTIVE RESPONSE

- ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
- ☐ Applicant's response filed \_\_\_\_\_ was received in the Office on \_\_\_\_\_, which is after the expiration of the period for response set in the last Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).

3. ☒ Applicant's response filed 17 Aug 2000 included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
  - ☐ a non-English language.
  - ☐ English.
- ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)) ☐ which is insufficient.
- ☒ Oath or Declaration of inventor(s).
  - ☐ in compliance with 37 CFR 1.497(a) and (b).
  - ☐ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCN/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification.
- ☒ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Other: Need translation of the International Application along with surcharge for translation

DOCKETED FOR  
4 November 00  
for  
PCN/DO/EO/917

4. ☒ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905 mailed 06 July 2000) have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of five months.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

Pat Booker, Paralegal

Telephone: 703-305-3738

FORM PCT/DO/EO/916 (December 1997)

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